

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Method for Compensating for Multi-Path of a CDMA Reverse Link Utilizing an Orthogonal Channel Structure

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on January 29, 2004 as United States Application Number 10/767,843.

[ ] was filed on [PCT Filing Date] as PCT International Application No. [PCT Appl'n No.] [and assigned United States Application No. [ ]].

[ ] and was amended on [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> |                  |                               | Priority<br>Not<br>Claimed | Certified<br>Copy Filed? |     |
|-------------------------------------|------------------|-------------------------------|----------------------------|--------------------------|-----|
|                                     |                  |                               |                            | YES                      | NO  |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | [ ]                        | [ ]                      | [ ] |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | [ ]                        | [ ]                      | [ ] |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | [ ]                        | [ ]                      | [ ] |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole

or first inventor James A. Proctor, Jr.

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 258 Sea View Street

Melbourne Beach, FL 32951

Citizenship USA

Mailing Address same as above  
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- ☐ is attached hereto.
- ☒ was filed on January 29, 2004 as United States Application Number 10/767,843.
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|-------------------------------------|------------------|-------------------------------|----------------------------|--------------------------|--------------------------|
|                                     |                  |                               |                            | YES                      | NO                       |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(Number)</u>                     | <u>(Country)</u> | <u>(Day/Month/Year filed)</u> | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> |

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-----  
Full name of sole

or first inventor James A. Proctor, Jr.

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 258 Sea View Street

Melbourne Beach, Florida 32951

Citizenship USA

Mailing Address same as above

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SoleASSIGNMENT

WHEREAS, I, **James A. Proctor, Jr.**, have invented a certain improvement in **Method for Compensating for Multi-Path of a CDMA Reverse Link Utilizing an Orthogonal Channel Structure**, described in an application for Patent,

- ☐ the specification of which is about to be filed in the United States Patent Office *(use for utility (37 CFR § 1.53(b)) and design filings only)*;
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☒ the specification of which is United States Application No. **10/767,843**, filed **January 29, 2004**;
- ☐ the specification of which is a Patent Cooperation Treaty Application, International Application No. ☐ , which designates the United States of America;
- ☐ which was patented under United States Patent No. ☐ .

WHEREAS, **IPR Licensing, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware** and having a usual place of business at **1450 S. Babcock Street, Melbourne, Florida 32901** desires to acquire an interest therein in accordance with agreements duly entered into with me;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made; I hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. I hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which

may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any further applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, I do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

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Inventor \_\_\_\_\_ Date \_\_\_\_\_  
**James A. Proctor, Jr.**

Address \_\_\_\_\_  
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Witness \_\_\_\_\_

Address \_\_\_\_\_  
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Witness \_\_\_\_\_

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